



The Home Care, Hospice and Palliative Care Advisory Council
Regular Meeting
Wednesday, August 17, 2016 at 10:30 a.m.

Meeting Location: OSDH, 1000 NE 10th Street, Room 314, Oklahoma City, OK 73117-1299

MEETING MINUTES
Approved 08/17/2016

The Home Care, Hospice and Palliative Care Advisory Council regular meeting notice was posted on the OSDH website located at <http://mfs.health.ok.gov> as well as the Secretary of State's website located at www.sos.state.ok.us on December 2, 2015.

The agenda for this Regular Meeting was posted on the OSDH (Oklahoma State Department of Health) website and the building's front entrance on Monday, August 15, 2016.

1. Call to Order

Rayetta Dominguez, Acting Chair, called the meeting to order at approximately 10:34 a.m.

2. Roll Call

Devyn Tillman called roll.

The following members were present: Gregory Bridges, Gregory Brooks, Rayetta Dominguez, Michelle Fox, Jan Slater and Karen Vahlberg. A quorum is present.

The following member was absent: David Gibson and Greg McCortney.

Identified OSDH staff members present were: LaTrina Frazier, Administrative Programs Manager-Home Services Division; Lee Martin-Director of Medical Facilities Service; Roderick Taft-Home Services Division; Courtney Finney-Home Services Division; Devyn Tillman-Medical Facilities Service; Tanya Cates – HAI Prevention Coordinator; Espa Bowen, Administrative Programs Manager of the Home Care Administrator Program.

Identified guests present were: Annette Mays-Oklahoma Association of Home Care.

3. Election of Officers:

• **Chairperson**

David Gibson made a motion to nominate Rayetta Dominguez as Council Chairperson. Karen Vahlberg Seconded. The motion carried. Rayetta Dominguez is the Council Chairperson for CY 2016.

<i>Aye: 7</i>	<i>Abstain: 0</i>	<i>Nay: 0</i>	<i>Absent: 1</i>
<i>Gregory Bridges</i>	<i>Aye</i>	<i>Michelle Fox</i>	<i>Aye</i>
<i>Gregory Brooks</i>	<i>Aye</i>	<i>Greg McCortney</i>	<i>Absent</i>
<i>Rayetta Dominguez</i>	<i>Aye</i>	<i>Jan Slater</i>	<i>Aye</i>
<i>David Gibson</i>	<i>Aye</i>	<i>Karen Vahlberg</i>	<i>Aye</i>

• **Vice-Chairperson**

Michelle Fox made a motion to nominate Jan Slater as this Council's Vice Chairperson. Rayetta Dominguez seconded. The motion carried. Jan Slater is the Vice Chairperson for CY 2016.

<i>Aye: 6</i>	<i>Abstain: 1</i>	<i>Nay: 0</i>	<i>Absent: 1</i>
<i>Gregory Bridges</i>	<i>Aye</i>	<i>Michelle Fox</i>	<i>Aye</i>
<i>Gregory Brooks</i>	<i>Aye</i>	<i>Greg McCortney</i>	<i>Absent</i>
<i>Rayetta Dominguez</i>	<i>Aye</i>	<i>Jan Slater</i>	<i>Abstain</i>
<i>David Gibson</i>	<i>Aye</i>	<i>Karen Vahlberg</i>	<i>Aye</i>

• **Secretary**

Jan Slater made a motion to approve Michelle Fox as Council Secretary. Karen Vahlberg Seconded. The motion carried. Michelle Fox is the Council Secretary for CY 2016.

<i>Aye: 6</i>	<i>Abstain: 1</i>	<i>Nay: 0</i>	<i>Absent: 1</i>
<i>Gregory Bridges</i>	<i>Aye</i>	<i>Michelle Fox</i>	<i>Abstain</i>
<i>Gregory Brooks</i>	<i>Aye</i>	<i>Greg McCortney</i>	<i>Absent</i>
<i>Rayetta Dominguez</i>	<i>Aye</i>	<i>Jan Slater</i>	<i>Aye</i>
<i>David Gibson</i>	<i>Aye</i>	<i>Karen Vahlberg</i>	<i>Aye</i>

4. **Approval of the May 13, 2015 regular meeting minutes**

The vote for these minutes was not conducted appropriately and will be re-submitted at the August 2016 meeting.

5. **Distribution of the November 12, 2015 Meeting Summary**

Devyn Tillman will email this to the group following this meeting.

6. **Reports – Health Department Programs:**

- **Nurse Aide Registry and Certification** – Vicki Kirtley, Administrative Programs Manager presented the Nurse Aide Registry’s quarterly report. A copy of this report is attached for your information.
- **Home Care Agency Administrator Certification** – Cindy Cole, Administrative Assistant to Espaniola Bowen, Administrative Programs Manager presented the Home Care Administrator Registry quarterly report in Ms. Bowen’s absence. A copy of this report is attached for your information. James Joslin presented a report of the National Background Check Program of the OKScreen program’s findings of abuse, neglect and misappropriation (ANM) findings. This report is attached for you information.
- **Home Services Division-** Dr. LaTrina Frazier, Administrative Programs Manager presented the Home Services Division statistical report. Dr. Frazier gave a brief updated of the Department’s yearly home health renewal. The department is now emailing all renewal notices to each agency. This year, there were approximately one hundred nineteen (119) attempts that were returned undeliverable (electronically). Staff is working diligently to contact each of these agencies to obtain updated email contact information. Please note, the requirement states the agency should be notifying the department of changes thirty (30) days prior to the change occurring. The Home Services Division’s staff is working diligently to process applications as quickly as possible. The Department is presently completing renewals within five (5) days of the receipt of the applications, in our Department.

Dr. Frazier reminded the council members that pursuant to HB 1438, Home Care Administrators are currently required to obtain 8 hours continuing education units, with two (2) of these CEU hours to include ethics. Surveyors are presently education Hospices, as well as reminding them to keep this information readily accessible.

A copy of the Home Services Division’s survey activity report is attached below for your information.

7. **For Discussion: Narcotic Prescriptions and Hospice Physicians**

This topic for discussion was submitted by Mr. Greg McCortney, who was not in attendance today. There was no discussion regarding this agenda item.

8. **For Discussion: Supportive Home Assistants**

Dr. LaTrina Frazier has met with Vicki Kirtley, APM of the Nurse Aide Registry and they have determined an outline of the testing criteria for the supportive home assistants, which will be coordinated through the Oklahoma career techs. The next step for this process will be to build curriculum. A group of providers and interested parties will be assembled to review this information. If you are interested in participating in this workgroup, the Department will wait approximately thirty (30) days, for those who are interested to contact the Department before scheduling this workgroup meeting. The department will notify the Council members, the Associations as well as the interested parties list of this meeting when it has been scheduled. If you are interested in participating, please email LaTrina Frazier at medicalfacilities@health.ok.gov, referencing "supportive home assistant workgroup" in your email subject line.

9. For Discussion: Emergency Preparedness

Mr. Gregory Brooks, MSW, Council Member stated there are agencies in Oklahoma who accidentally realize, in the middle of an emergency response, that they are ill prepared to respond or provide assistance in these events. Mr. Brooks is reporting this on behalf of the Home Care Association, as this is something that the Oklahoma Home Care and Hospice Association members are currently discussing.

Dr. Frazier commented that Emergency Preparedness will soon become a Medicare Condition of Participation (COP). There are four (4) general components in this regulation which are: Emergency Plan; Emergency Policy & Procedures; based on the emergency plan and Risk Assessment and Communication Plan: Contact information, Training and Testing. All of these will be required to be updated annually. This will become a requirement for all providers and suppliers of Medicare. Director Lee Martin has had conversations with OSDH Director of Emergency Preparedness, Scott Sprout.

10. Meeting Dates for CY 2016

- Wednesday, August 17, 2016 @ 10:30 a.m. in Room 314
- Wednesday, November 16, 2016 @ 10:30 a.m. in Room 314

11. Public Comment

Comment regarding common courtesy items the agencies should keep in mind when visiting clients. Please do not park in the clients driveways. This may prevent another family member from exiting the home. Also due to the caregiver parking in his driveway; vehicle fluid mess the homeowner had to clean up after.

Another concern was the training/knowledge of the caregivers sent to his home to provide care for his family member. He felt this individual was unqualified to care for his family member. There was a discussion regarding whether a 'private duty' caregiver, versus a neighbor, church member, family member can be used. There were also discussions regarding what type of care they need or what is allowable according to the law. The 211 statewide assistance number was recommended as a resource.

12. Adjourn

The meeting adjourned at approximately 11:13 a.m.



Protective
Health Services

Oklahoma State
Department of Health

**Home Care Administrator Registry
Statistics**

Prepared for

**Home Care and Hospice Advisory Council
Wednesday, May 18, 2016
Española Bowen, MCJA, M.Ed.
Administrative Program Manager**

**For questions regarding:
Home Care Administrator Registry, call (405) 271-6868 Ext.
57273**

**Home Care Administrator Registry
Statistics**

**Active Certifications on the Home Care Administrator Registry
As of May 6, 2016**

Active Provisional Certifications (6 months)	Active Initial Certifications (1st year)	Active Renewed Certifications	Total Active Certifications
7	164	7	775

Calendar Year 2015

Month	Provisional Certification	Initial Cert. Deeming	Initial Cert. Preparedness Program	Tested for the OHCAPA	Passed	Failed	Renewals Issued
January	1	2	3	11	11	0	2
February	0	2	2	7	7	0	1
March	2	0	1	16	16	0	2
April	2	3	4	6	6	0	6
May	1	6	11	13	13	0	49
June	2	2	3	11	9	2	99
July	2	9	2	8	8	0	361
August	1	4	2	6	6	0	137
September	0	3	3	3	3	0	26
October	4	1	0	4	4	0	15
November	2	3	3	2	2	0	23
December	1	4	5	20	18	2	35
TOTAL	18	39	39	107	103	4	754

**Home Care Administrator Registry
Statistics**

**Active Certifications on the Home Care Administrator Registry
As of December 31, 2015**

Active Provisional Certifications (6 months)	Active Initial Certifications (1st year)	Active Renewed Certifications	Total Active Certifications
26	84	612	745

Calendar Year 2014

Month	Provisional Certification	Initial Cert. Deeming	Initial Cert. Preparedness Program	Tested for the OHCAPA	Passed	Failed	Renewals Issued
January	4	2	2	8	8	0	1
February	1	5	4	6	5	1	1
March	3	1	2	10	10	0	0
April	0	10	1	11	11	0	3
May	0	0	3	14	14	0	19
June	4	2	4	13	13	0	108
July	6	6	2	11	11	0	262
August	1	6	3	4	4	0	143
September	1	3	1	6	6	0	53
October	2	7	3	10	10	0	10
November	3	3	4	5	5	0	8
December	1	3	7	12	12	0	4
Total	26	48	36	110	109	1	612

**Home Care Administrator Registry
Statistics**

**Active Certifications on the Home Care Administrator Registry
As of December 31, 2013**

Active Provisional Certifications (6 months)	Active Initial Certifications (1st year)	Active Renewed Certifications	Total Active Certifications
18	16	800	834

Calendar Year 2013

Month	Provisional Certifications	Initial Cert. Deeming	Initial Cert. Preparedness Program	Tested for the OHCAPA	Passed	Failed	Renewals Issued
January	7	4	3	11	11	0	4
February	1	2	3	11	11	0	9
March	3	4	1	6	6	0	2
April	2	6	3	11	11	0	27
May	2	4	3	12	12	0	16
June	2	7	1	6	6	0	69
July	1	4	2	6	6	0	345
August	2	10	4	9	9	0	129
September	4	4	1	3	3	0	53
October	1	3	0	6	6	0	5
November	2	2	2	1	1	0	4
December	2	2	2	8	8	0	1
Total	29	52	25	90	90	0	664

Active Certifications on the Home Care Administrator Registry
As of December 31, 2012

Active Provisional Certifications (6 months)	Active Initial Certifications (1st year)	Active Renewed Certifications	Total Active Certifications
14	68	694	776

Calendar Year 2012

Month	Provisional Certifications	Initial Cert. Deeming	Initial Cert. Preparedness Program	Tested for the OHCAPA	Passed	Failed	Renewals Issued
January	1	1	3	0	0	0	1
February	2	1	6	6	6	0	1
March	4	4	6	7	7	0	1
April	4	0	0	6	6	0	33
May	3	0	2	11	11	0	16
June	1	3	3	7	7	0	68
July	5	2	8	14	14	0	376
August	1	5	1	11	11	0	163
September	8	6	1	1	1	0	24
October	4	4	1	4	4	0	9
November	7	2	2	7	7	0	2
December	0	3	4	16	16	0	0
Totals	40	31	37	69	69	0	694



Oklahoma State Department of Health
 Creating a State of Health

Home Care, Hospice and Palliative Care Advisory Council Meeting

May 18, 2016

Home Services Division Survey Activity Quarter 1 (Jan. 1, 2016- March 31, 2016)

Category	CY2015	CY2016 -1 st Quarter
Home Health Medicare Recerts	130	33
Home Care Licensure Surveys	125	47
Initial Licensure	4	1
Home Health Complaints	56	16
Federal Complaints		5
Licensure Complaints		9
Total Complaints Worked	26	10
Complaints - No Action	20	2
Hospice Medicare Recerts	41	16
Hospice Licensure Surveys	40	18
Initial Licensure	3	1
Hospice Complaints Received	19	11
Federal Complaints		3
Licensure Complaints		3
Total Complaints Worked	10	2
Complaints -No Action	9	5

Top 5 Federal Violations –Quarter 1 (Jan 1, 2016- March 31, 2016)

Rank	Violation	Home Health	Violation	Hospice
1	484.12	Compliance w/Federal/State/local laws	418.100 418.78	Organization/Admin of Services Volunteers
2	484.14	Organization Services & Admin	418.102	Medical Director
3	484.20	Reporting OASIS Information	418.56	IDG
4	484.16	Group of Professional Personnel	418.54	Initial & Comprehensive Assessment
5	484.52	Evaluation of the agency's program	418.116	Compliance w/Federal/State/local laws

Top 5 State Licensure Violations –Quarter 1 (Jan 1, 2016- March 31, 2016)

Rank	Violation	Home Health	Violation	Hospice
1	662-2-1	Personnel Policies	661-2-1(e)	Base of Operation
2	662-3-3.1	Compliance w/ Federal, State, & Local laws	661-3-2(1)	Training
3	662-5-2	Plan of Care	661-3-2(h)	Medical Advisor
4	662-5-3	Services Provided	661-3-2(n) 661-5-1.3 661-5-2	Background Comprehensive Assess Plan of Care
5	662-5-4	Quality Assessment & Improvement	661-3-2(m)	Recruiting & Retaining

Abuse/Neglect/Misappropriation (ANM) Findings								
	FY 2015		FY16-Q1 7/1/15 to 9/30/15		FY16-Q2 10/1/15 to 12/31/15		FY16-Q3* 1/1/16 to 3/31/16	
	Count	%	Count	%	Count	%	Count	%
Findings	30	100%	10	100%	7	100%	31	100%
Years From Certification to Finding								
Average	6		6		11		7	
Minimum	1		2		1		2	
Maximum	19		16		18		22	
Age at Finding								
Average	34		33		39		36	
Minimum	19		22		19		20	
Maximum	60		45		54		62	
Gender	30	100%	10	100%	7	100%	31	100%
Male	11	37%	3	30%	1	14%	6	19%
Female	19	63%	7	70%	6	86%	25	81%
Type Certification	30	100%	10	100%	7	100%	31	100%
LTC/HHA	23	76.7%	7	70.0%	5	71.4%	27	87.1%
CMA	6	20.0%	1	10.0%	2	28.6%	0	0.0%
DDCA	1	3.3%	1	10.0%	0	0.0%	1	3.2%
NTSW	0	0.0%	1	10.0%	0	0.0%	3	9.7%
Finding Type	30	100%	10	100%	7	100%	31	100%
Misappropriation								
Misappropriation/Meds	4	13.3%	1	10.0%	1	14.3%	3	9.7%
Misappropriation/Cash	3	10.0%	3	30.0%	2	28.6%	2	6.5%
Misappropriation/Property	9	30.0%	0	0.0%	1	14.3%	16	51.6%
Neglect								
Services	6	20.0%	1	10.0%	1	14.3%	5	16.1%
Transfer	3	10.0%	3	30.0%	0	0.0%	1	3.2%
Abuse								
Physical	3	10.0%	2	20.0%	1	14.3%	3	9.7%
Sexual	1	3.3%	0	0.0%	0	0.0%	1	3.2%
Verbal	1	3.3%	0	0.0%	1	14.3%	0	0.0%
Facility Type	30	100%	10	100%	7	100%	31	100%
Nursing	22	73%	9	90%	4	57%	18	58%
Assisted Living	3	10%	0	0%	1	14%	9	29%
Home Care	3	10%	0	0%	1	14%	2	6%
Hospice	0	0%	0	0%	0	0%	1	3%
ICF/IID	1	3%	1	10%	1	14%	1	3%
Private	1	3%	0	0%	0	0%	0	0%
Training Source	30	100%	10	100%	7	100%	31	100%
Career Tech	15	50%	4	40%	4	57%	16	52%
Facility Based	7	23%	2	20%	2	29%	6	19%
Private	3	10%	2	20%	0	0%	1	3%
Unknown	3	10%	1	10%	0	0%	2	6%
Reciprocity	0	0%	0	0%	1	14%	3	10%
OSU	2	7%	0	0%	0	0%	0	0%
NA: Non-technical	0	0%	1	10%	0	0%	3	10%
Hearings	30	100%	10	100%	7	100%	31	100%
Appeared	12	40%	6	60%	1	14%	5	16%
No Appearance	16	53%	3	30%	6	86%	26	84%
Agreed Order	2	7%	1	10%	0	0%	0	0%
Default Judgement					1	14%	22	71%
Service to Address on File								

* This quarter represented the first complete quarter in which 63 O.S. § 1-1951(D)(8) applied. This new law provided legal service exists when delivery of the petition and order for hearing were sent to the address on file for a nurse aide.

OKSCREEN and Abuse, Neglect, and Misappropriation (ANM) Findings								
	FY15		FY16-Q1 7/1/15 to 9/30/15		FY16-Q2 10/1/15 to 12/31/15		FY16-Q3* 1/1/16 to 3/31/16	
	Count	%	Count	%	Count	%	Count	%
Findings & OK-SCREEN Applicant Reviews								
Persons with ANM findings	30	100%	10	100%	7	100%	31	100%
ANM Applicant's with Status in OKS	11	37%	5	50%	2	29%	10	32%
No applicant record in OKS	19	63%	5	50%	5	71%	21	68%
ANM Applicant's with Status in OKS								
ANM Applicants with Status in OKS	11	100%	5	100%	2	100%	10	100%
Had prior eligible determination in OKS prior to finding	7	64%	2	40%	2	100%	7	70%
Had pending determination with provisional employment	0	0%	1	20%	0	0%	0	0%
Had incomplete or withdrawn application(s) or pending not eligible determination	4	36%	2	40%	0	0%	3	30%
Prior Criminal History for ANM Cases w/ prior Eligible Determination in OKS								
ANM Cases with prior eligible determination in OKS	7	100%	2	100%	2	100%	7	100%
Had prior eligible criminal history	1	14%	0	0%	0	0%	2	29%
Had no prior criminal history	6	86%	2	100%	2	100%	5	71%
OKS Employment History for ANM Cases w/ prior Eligible Determination in OKS								
ANM Cases with prior eligible determination in OKS	7	100%	2	100%	2	100%	7	100%
Terminated in OKS prior to ANM Finding	3	43%	1	50%	1	50%	5	71%
Terminated in OKS after ANM Finding	4	57%	0	0%	1	50%	0	0%
Termination date pending	0	0%	1	50%	0	0%	0	0%
Never employed	0	0%	0	0%	0	0%	1	14%
* This quarter represented the first complete quarter in which 63 O.S. § 1-1951(D)(8) applied. This new law provided legal service exists when delivery of the petition and order for hearing were sent to the address on file for a nurse aide.								



Nurse Aide Registry
Oklahoma State
Department of Health



Nurse Aide Registry Statistics

Prepared for

Home Care & Hospice Advisory Council

May 18, 2016

**Vicki Kirtley, Administrative Program Manager
Nurse Aide Registry**

**For questions regarding:
Nurse Aide Registry, call (405) 271-4085**



Home Care and Hospice Advisory Council

May 18, 2016

Nurse Aide Certifications as of May 10, 2016

Types of Certifications	Certifications that are not Expired	Certifications Eligible for Renewal	Total Certifications
Home Health	14,048	42,101	46,149
Long Term Care	38,061	92,311	130,372

310:677-9-2(b) Deemed to meet state certification requirements

(b) An individual who is listed in the Nurse Aide Registry as a Long Term Care aide may be employed by a home care agency upon successful completion of a Department approved home care skills examination and at least sixteen (16) hours of orientation specific to the employer's population. The individual will be placed on the Registry as being certified as a Home Health Aide after successfully passing the examination.

Initial Home Health Nurse Aide Certifications Added - FY2016

Added Per Quarter	Home Health Aide By Reciprocity	Deemed to Home Health	Total Certifications & Registrations
1 st	3	496	499
2 nd	1	519	520
3 rd	3	490	493
4 th			
Total	7	1,505	1,512

Substantiated Abuse by Home Health Aide – FY2016

Added Per Quarter	Physical	Sexual	Verbal	Mistreatment	Neglect	Misappropriation of Property	Total
1 st	0	0	0	0	0	0	0
2 nd	0	0	0	0	0	1*	1
3 rd	0	0	0	0	0	3	3
4 th							
Total	0	0	0	0	0	4	4

Substantiated Abuse – FY2016

Added Per Quarter	Physical	Sexual	Verbal	Mistreatment	Neglect	Misappropriation of Property	Total
1 st	3	0	0	0	4	4	11
2 nd	1	0	0	1	1	4	7
3 rd	3	1	0	0	8*	20	32*
4 th							
Totals	7	1	0	1	13	28	50

*Revised 5/13/2016